

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

John K. Goodrow,	:	
Plaintiff,	:	
v.	:	Civil Action No: 3:11-cv-00020-MHL
	:	(Consolidated)
Friedman & MacFadyen, P.A. and	:	
Johnie R. Muncy,	:	
Defendants.	:	

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**JOINT STATUS REPORT CONCERNING MEDIATION PREPARATION**

On November 22, 2011 (docket entry 66), the Court entered a stay in these consolidated proceedings to permit the parties to attempt to mediate the pending dispute not just with respect to those claims already the subject of pending lawsuits, but also with respect to similar claims for other clients represented by plaintiffs' counsel. The parties jointly submit this status report pursuant to the Court's November 22, 2011 order.

1. Review of Possible Third Party Claims. Among the Defendants' concerns in these matters is the possibility that resolution of plaintiffs' claims in the pending cases may not resolve all their claims against defendants because future litigation by plaintiffs against other parties may result in the present defendants being called upon to defend substantially similar claims.

2. Counsel for the parties have discussed, pursuant to the schedule set out by the parties and approved by the Court, several means of assuring the finality of this litigation including obtaining releases of certain third party claims and indemnity agreements. While the parties have not resolved this matter, they have agreed to work together to identify which

plaintiffs may have bona fide claims against third parties, to categorize any such claims for purposes of evaluating the likelihood of their arising and the defendants' potential liability related to them, and to assess the risks associated with them in the context of continued mediation discussions.

3. Plaintiffs' counsel have agreed to provide a categorization of claims and matrix of suggested settlement values to defendants by January 6, 2012. This production telescopes into a single production the identification of potential claimants and their claims' potential settlement value. Doing so makes the production process more efficient and will lead to a simultaneous discussion of claim categories and settlement values which discussion was going to be necessary in any event.

The parties remain engaged with and committed to the mediation process.

DATED: December 21, 2011

**Respectfully Submitted,**

**FRIEDMAN & MACFADYEN, P.A.  
JOHNIE MUNCY**

**By Counsel**

/s/

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 21st day of December, 2011, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of electronic filing (NEF) to the following:

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